

IMPORTANT CHANGES TO NCIC VALIDATION PROCEDURES!



Big changes are coming to the monthly NCIC Validation procedures. If your agency does NCIC Validations, make sure you read the following information carefully and let BCI know if you have any questions.

Beginning January 2010, BCI will be dramatically changing the way NCIC Validations are handled.

Beginning in January, all NCIC entries must be electronically validated. (Which you should be doing already!) To electronically validate an entry, you must use the Modify transaction on the UCJIS system and enter a unique identifier in the VLN field.

Entries that have not been electronically validated will be automatically purged by NCIC. This will be done entirely by NCIC, and BCI will have no part in the process.

As of January 2010, agencies will no longer need to send validation certificates to BCI. Once you are notified that the month's validations are ready to be retrieved from the FTP server, go in to the FTP server and get a copy of your entries as soon as possible. Then ensure that each entry is electronically validated by the due date. Entries that are not validated by the due date will be purged automatically by NCIC. Do not send a certificate to BCI.

FBI policy states: "If a state/federal agency uses the on-line validation process, the agency must modify each record being validated to include updated information in the Name of Validator (VLN) Field. If a record has not been validated within a month from the request for validation, the NCIC System will generate a \$.F. Failure to Validate Notification to the ORI on the Monday following the first Sunday of the month. The \$.F. notification serves as a warning for the agency to validate the record or the NCIC System will retire the record during the next purge cycle. If the record is not validated by the first Sunday of the following month, the NCIC System will retire the record and generate a \$.P. Purge Failure to Validate Notification."

There will be no grace periods or extensions on the due date. You may want to make sure that more than one person in your agency is trained on electronic validation procedures in the event that the person who normally validates entries is out of the office. If entries are purged by NCIC, BCI will not be able to put them back onto NCIC for you. Purged entries may be re-entered onto NCIC, but your agency will have to do the re-entry.

Remember – electronically validating an entry means more than downloading your information from the FTP server and returning the certificate to BCI. Electronic validation means that the UCJIS system is used to add information into the VLN field, and that any necessary modifications are made to the entry. The logon or initials of the individual validating the entry must be entered in the VLN field of the entry.

(This will go into effect in January 2010. For November and December 2009 follow the same procedures as you have been.)

HOW DO I ELECTRONICALLY VALIDATE?

For a quick tutorial on electronically validating your NCIC entries, please see:

http://dpsemployees.utah.gov/TAC/TACpdf/NCIC_Validations.pdf

The example used in the presentation is for a wanted person entry. If you're validating a gun entry, use the Modify Gun (MG) transaction. If you're validating a vehicle, use the Modify Vehicle (MV) transaction, and so forth.

Please contact your Field Services representative for more information on electronically validating NCIC entries.

WHY USE ALL AVAILABLE FILES?

The following is a summary from the Associated Press. Emphasis added.

Questions arise over how kidnapper went undetected

ANTIOCH, Calif. – His neighbors knew he was a registered sex offender. Kids on his block called him "Creepy Phil" and kept their distance. Parole agents and local law enforcement regularly visited his home and found nothing unusual, even after a neighbor complained children were living in a complex of tents in his backyard.

For 18 years, Phillip Garrido managed to elude detection as he pulled off what authorities are calling an unfathomable crime, kidnapping and raping 11-year-old Jaycee Dugard, keeping her as his secret captive for nearly two decades and fathering two of her children.

The question about how he went unnoticed became more pressing Friday when Garrido came under suspicion in the unsolved murders of several prostitutes, raising the prospect he was a serial killer as well.

Authorities acknowledged that they blew a chance three years ago to rescue Dugard from the backyard labyrinth of sheds, tents and outbuildings that were concealed from the outside world.

A neighbor called 911 in November 2006 and described Garrido as a psychotic sex addict who was living with children and had people staying in tents in his backyard.

The investigating officer spent a half-hour interviewing Garrido on his front porch but did not enter the house or search the backyard, Contra Costa County Sheriff Warren E. Rupf said. **The deputy, who did not know Garrido was a registered sex offender even though the sheriff's department had the information,** warned Garrido that the tents could be a code violation before leaving.

"We missed an opportunity to bring earlier closure to this situation," Rupf acknowledged. "I cannot change the course of events but we are beating ourselves up over this and continue to do so."

"We should have been more inquisitive, more curious and turned over a rock or two."

It was not the only missed opportunity.

As a parolee, Garrido wore a GPS-linked ankle bracelet that tracked his every movement, met with his parole agent several times each month and was subject to routine surprise home visits and random drug and alcohol tests, California Department of Corrections and Rehabilitation spokesman Gordon Hinkle said.

The heavily wooded compound was arranged so that people could not view what was happening, and one of the buildings was sound-proofed and could only be opened from the outside.

Neighbors knew there were children living there. Damon Robinson has lived next door to the Garridos for more than three years and his then-girlfriend in 2006 told him she saw tents in the backyard and children.

"I told her to call police. I told her to call right away," he said.

Garrido and his wife pleaded not guilty Friday to a total of 29 counts, including forcible abduction, rape and false imprisonment. Phillip Garrido appeared stoic and unresponsive during the brief arraignment hearing.

Garrido was required to register as a sex offender because he was convicted in 1977 of kidnapping a 25-year-old woman from parking lot in South Lake Tahoe, the same town Jaycee Dugard

lived in when she was snatched from a school bus stop.

He served about 10 years of a 50-year federal sentence for kidnapping, and less than a year for a concurrent Nevada sentence of five years to life in prison for sexual assault. **He was paroled in 1988, said Nevada Department of Corrections spokeswoman Suzanne Pardee.**

A violation of Garrido's parole conditions sent him back to federal prison from April to August of 1993. Dick Carelli, spokesman for the federal Office of Court Administration, did not know what Garrido did to violate parole.

Hinkle said Garrido's parole agent was shocked Tuesday when University of California, Berkeley, police told him that the man he had been monitoring for years had been seen with two small children.

Monica Adams, 33, whose mother lives on their street, said she knew Phillip Garrido was a sex offender and that he had children living with him. **Other neighbors knew, too, but they assumed police were keeping tabs on him.**

Probyn said he was frustrated to find out that a car matching the description of the one he saw speeding Dugard away in the day she was kidnapped was found in the yard of Garrido's home. Nancy Garrido also fits the "dead-on" description he gave of the woman who pulled her into the car, he said.

"He had every break in the world," Probyn said of Garrido's close encounters with the law.

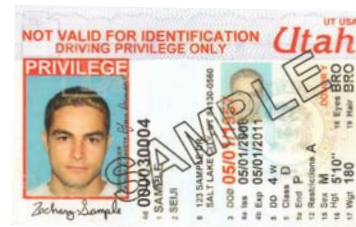
By TERRY COLLINS and BROOKE DONALD, Associated Press Writers Terry Collins and Brooke Donald, Associated Press Writers. Aug 28, 2009

The above article shows why BCI is constantly urging agencies to use all UCJIS files available to them; from the obvious (UCCH, III) to the obscure (Nlets Snowmobile Registration.) We don't know for sure (no – we didn't violate UCJIS policy and look for ourselves) but there may have been information on Garrido on Nlets' Sex Offender File or Nlets' Parole, Probation and Corrections File. Local California files may also have held information. (The OTRK file is an example of a Utah only file that may hold such information.)

DRIVING PRIVILEGE CARDS

Effective September 1, 2009, the Driving Privilege Card (DPC) issued by the Utah Driver License Division has taken on a new appearance (see attached). This change helps the Driver License Division move toward the implementation of SB40 & the Federal REAL ID. This change will only affect those individuals who are applying for a new DPC or upon renewal or duplicate of their current DPC. The DPC will contain the same data elements and security features as the current Driver License and Identification card and the process to obtain the card will not change. However, the most noticeable change will be with the format and color of the card.

As you are aware, the majority of the Driving Privilege Cards have a one-year expiration; because of this, the division anticipates it will take until September 2010 before all DPCs have been replaced with the new card design. If there are any questions, please feel free to contact DL administration.



NEW – header color is a light blue/gray and contains modified verbiage. Photo and text run in opposite directions.

ATTENDANCE AT THE 2010 CONFERENCE AND THE TAC TEST

As mentioned in the 2009 BCI Reminders, TACs from agencies that do not have at least one of their TACs at the 2010 TAC Conference must take the 2010 TAC Test – even if they took the 2009 test.

If your agency has several TACs, you can avoid this situation by sending at least one of your TACs to the 2010 Conference. (Not *all* of your TACs need to attend.)

However, if *no* TACs from your agency attend the 2010 Conference, *all* TACs at your agency must

take the 2010 TAC Test – even if any or all of these TACs passed the 2009 test.

If you choose to have another agency represent your agency, or if you choose to come to the Inquiry Baseline class instead, *all* TACs at your agency will have to take the 2010 test.

We understand that emergencies and important personal events can occasionally prevent an agency from sending a representative to the annual TAC Conference – particularly for smaller agencies. However, we have also noticed that some agencies make it a practice to always have another agency represent them, or to always come to Baseline.

And although most TACs who represent other agencies do a good job of passing on the information from the TAC conference, a few do not adequately relay the information presented at the conference.

2010 TAC CONFERENCE DATES



Speaking of the TAC Conference, here is the **TENTATIVE 2010 TAC Conference Information** for you to pencil into your calendars.

BCI has reserved the Dixie Conference Center in St. George for the 2010 TAC Conference. The conference will be held May 3-5, with the same general format as the past several years.

Agency representation at the conference is mandatory, per the UCJIS User Agreement. Monday, May 3rd is an optional registration day with some optional classes offered for those who are interested. Attendance on May 4th and 5th is mandatory.

Registration information and a preliminary agenda will be sent out as soon as possible, probably in December. Costs are expected to be roughly the same as last year.

If you have any questions, please contact Jacob Dunn at (801) 965-4963 or jacobdunn@utah.gov.

We look forward to seeing you all at the conference.

NEW COUNTY REPRESENTATIVES

With the start of a new audit cycle (2009-2012) BCI has reassigned the representatives over the counties. Almost all of you now have a new Field Services representative over your agency.

For all agencies in Beaver, Box Elder, Davis, Iron, Juab, Millard, Tooele, Utah, and Washington Counties, your representative is Marcus Yockey (801-965-4409 or myockey@utah.gov)

For all agencies in Cache, Carbon, Daggett, Duchesne, Emery, Garfield, Grand, Kane, Morgan, Piute, Rich, San Juan, Sanpete, Sevier, Uintah, Wayne, and Weber Counties, as well as the Navajo Nation DPS and Glen Canyon, your representative is Adrienne Sowards (801-965-4497 or asowards@utah.gov)

For *all* agencies in Salt Lake, Summit, and Wasatch Counties, your representative is Holly Andrews (801-964-4566 or handrews@utah.gov). Holly is also over the Driver License Division.

The Office of Recovery Services is no longer under one representative. Issues with individual offices in a particular county should go through that county's representative.

Always try to contact your agency representative so that individual can become familiar with your agency's unique needs and concerns. However, if your representative is not available, always feel free to contact any member of Field Services.

A map of the new regions can be found at: http://dpsemployees.utah.gov/TAC/TACpdf/Region_assignments_2009-2012.pdf

For routine questions or logon questions don't forget to contact our seven day a week, 24 hour help desk at 801-965-4446.

DISMISSED CASES AND UCCH

Mary Jane Weed is arrested by the Gooberville UT PD for possession of marijuana. Ultimately the case goes to court and the charge is dismissed. The Gooberville City Justice Court sends the "dismissed" disposition to BCI.

Does the incident stay on UCCH? **YES.**

All arrests remain on UCCH, even if the charges are subsequently dismissed.

To have dismissed charges removed from UCCH, the individual with the record must initiate expungement proceedings with BCI. Several factors are taken into consideration before BCI issues an expungement certificate, but if we do issue a certificate, the arrest and subsequent dismissal can be removed from the UCCH record.

Individuals must initiate the expungement process themselves. For more information on expunging Utah arrests, please see our web site at <http://publicsafety.utah.gov/bci/expunge.html>

If members of the public contact your agency about the expungement process, please have them call BCI at 801-965-4445.

UCR/IBR INFORMATION

Our next NIBRS Basic Training is scheduled for Thursday, November 19, 2009. This class is from 9:00 a.m. until 5:00 p.m. and will be held at BCI. This class will cover the definition of crimes according to NIBRS, how to submit information, and how to read and act upon your error reports and posting reports. Please contact Field Services to sign up for the class.

Agencies are reminded that the hate crime data is embargoed until the public release date. Until then, they are for internal use only. The LEOKA data was released to the public on Monday, October 19, 2009

Until November 16, 2009 the Hate Crime Statistics for 2008 can be seen only on the FBI's web site at:

www.fbi.gov/ucr/hc2008/index.html

(Your agency should have received an e-mail with the password you will need to view the site.)

Contact Mary Ann Curtis (801-965-4812) or Della Riquelme (801-965-4454) for details on accessing the advance viewing of Hate Crimes.

MISSING PERSONS

DENTAL INFORMATION

If your agency has been audited by BCI in the past year, you undoubtedly noticed the emphasis we've been putting on the entry of dental information into Missing Person records.

Dental information on an NCIC entry may be the only way to determine the identity of a dead body, or identify a living person who cannot provide his/her own identity. Entering dental information into missing person records is also federal law.

The National Child Search Assistance Act of 1990 requires that agencies verify and update original NCIC missing juvenile entries with any additional information, including medical and *dental records*, blood type, fingerprint characteristics, jewelry type/description, SMTs, and other characteristics fields within 30-60 days of entry.

But what if your agency is unable to obtain dental records? Some people have never been to a dentist. The people making the missing person report may not know where the missing person's dental records are. The people making the report may be unwilling to cooperate with your request for dental records.

When this is the case, please make a detailed entry in your case report that you did try to obtain the dental records, but the information could not be obtained because of [circumstances.] Entering this information in your report will reduce your liability, show that you are in compliance with NCIC missing person laws, and reduce grief during your BCI audit.

If you are able to obtain dental information, please forward it to Gina McNeil at the Utah Missing Person Clearinghouse for NCIC entry. BCI is the only agency in Utah with the capability of attaching dental information to an NCIC entry.

Also, please feel free to contact Gina at anytime with dental (or other) questions about missing persons. She can be reached at 801-965-4686 or gmcneil@utah.gov.

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